



General Assembly

Substitute Bill No. 5463

February Session, 2006

* _____HB05463INS__031506_____*

AN ACT CONCERNING INSURANCE RATE FILING REQUIREMENTS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (*Effective July 1, 2006*) (a) Notwithstanding the
2 requirements of sections 38a-389 and 38a-688 of the general statutes,
3 and on and after July 1, 2006, and until July 1, 2008, an insurer may file
4 a rate with the Insurance Commissioner pursuant to this section and
5 such rate shall take effect the date it is filed provided the rate provides
6 for an overall state-wide rate increase or decrease of not more than
7 four per cent in the aggregate for all coverages that are subject to the
8 filing. The four per cent limit shall not apply on an individual insured
9 basis. Not more than one filing may be made by an insurer pursuant to
10 this section within any twelve-month period unless the filing, when
11 combined with one or more filings made by the insurer within the
12 preceding twelve months, does not result in an overall state-wide
13 increase or decrease of more than four per cent in the aggregate for all
14 coverages that are subject to the filing.

15 (b) A filing that does not meet the criteria set forth in subsection (a)
16 of this section shall be subject to sections 38a-389 and 38a-688 of the
17 general statutes unless the filing is otherwise exempt from said
18 sections.

19 (c) A filing submitted pursuant to subsection (a) of this section shall
20 be deemed to comply with the requirements of title 38a of the general

21 statutes. If the commissioner determines that the filing is inadequate or
 22 unfairly discriminatory, the commissioner shall issue a written order
 23 specifying in detail the provisions of title 38a of the general statutes the
 24 insurer has violated and the reasons why the filing is inadequate or
 25 unfairly discriminatory. The order shall indicate a future date on
 26 which the filing shall no longer be effective. An order by the
 27 commissioner pursuant to this subsection that is issued more than
 28 thirty days after the date the rate is filed with the commissioner shall
 29 be prospective only and shall not affect any contract issued or made
 30 before the effective date of the order. As used in this section, a rate is
 31 "unfairly discriminatory" if it is classified in whole or in part on the
 32 basis of race, color, creed or national origin.

33 (d) No rate increase that meets the criteria set forth in subsection (a)
 34 of this section may be implemented with respect to an individual
 35 policy in effect on the date of the filing unless the increase is applicable
 36 no earlier than the date of policy renewal and the insurer provides
 37 notice of the increase to the insured pursuant to section 38a-323 of the
 38 general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2006	New section

INS *Joint Favorable Subst.*